

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RONALD V. SPARWASSER,

No. CV. 10-574-HU

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Alan Stuart Graf
ALAN STUART GRAF P.C.
316 Second Rd
Summertown, TN 38483

Attorney for Plaintiff

Adrian L. Brown
U.S. ATTORNEY'S OFFICE
District of Oregon
1000 S.W. Third Ave.
Suite 600
Portland, OR 97204

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Terrye Erin Shea
SOCIAL SECURITY ADMINISTRATION
Office of General Counsel
701 Fifth Avenue
Suite 2900 M/S 221A
Seattle, WA 98104

Attorneys for Defendant

HERNANDEZ, District Judge:

Magistrate Judge Dennis J. Hubel issued a Findings and Recommendation (doc. #18) on July 26, 2011, in which he recommends the Commissioner's final decision on September 11, 2007, finding Plaintiff not disabled before the date last insured be affirmed. Plaintiff timely filed objections to the Magistrate Judge's Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff's objections and conclude that the objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge's Findings and Recommendation.

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CONCLUSION

The Court ADOPTS Magistrate Judge Hubel's Findings and Recommendation (doc. #18). Accordingly, the Commissioner's final decision on September 11, 2007, finding Plaintiff not disabled before the date last insured is affirmed.

IT IS SO ORDERED.

DATED this 20th day of September, 2011.

/s/ Marco A. Hernandez
Marco A. Hernandez
United States District Judge